

**LEGISLATIVE SERVICES AGENCY
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FISCAL IMPACT STATEMENT

LS 6526

BILL NUMBER: HB 1066

NOTE PREPARED: Dec 15, 2007

BILL AMENDED:

SUBJECT: Recovery for Indirect Injury in Restraint of Trade.

FIRST AUTHOR: Rep. Robertson

FIRST SPONSOR:

BILL STATUS: As Introduced

FUNDS AFFECTED: X GENERAL
DEDICATED
FEDERAL

IMPACT: State & local

Summary of Legislation: This bill allows the recovery of damages for direct and indirect injuries resulting from restraint of trade.

Effective Date: July 1, 2008.

Explanation of State Expenditures:

Explanation of State Revenues: It is estimated that by allowing damages to be recovered for indirect injuries resulting from restraint of trade will increase the number of actionable claims. If additional civil actions occur and court fees are collected, revenue to the state General Fund may increase. A civil filing fee of \$100 would be assessed when a civil case is filed, 70% of which would be deposited in the state General Fund if the case is filed in a court of record or 55% if the case is filed in a city or town court. In addition, some or all of the judicial salaries fee (\$17), the public defense administration fee (\$3), the court administration fee (\$3), and the judicial insurance adjustment fee (\$1) are deposited into the state General Fund.

Explanation of Local Expenditures:

Explanation of Local Revenues: If additional civil actions occur, local governments would receive revenue from the following sources. The county general fund would receive 27% of the \$100 filing fee or the \$120 court fee that is assessed in a court of record. Cities and towns maintaining a law enforcement agency that prosecutes at least 50% of its ordinance violations in a court of record may receive 3% of court fees. If the case is filed in a city or town court, 20% of the court fee would be deposited in the county general fund and

25% would be deposited in the city or town general fund. Additional fees may be collected at the discretion of the judge and depending upon the particular type of case.

State Agencies Affected:

Local Agencies Affected: Trial courts.

Information Sources:

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